



THE CITY OF NEW YORK
LAW DEPARTMENT

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March 23, 2023

BY ECF

The Honorable Stewart D. Aaron
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Request GRANTED. The deadline to comply with the Court's January 26, 2023 *Valentin* Order hereby is extended to May 26, 2023. By separate Order, the Court shall schedule a telephone conference with the parties to be held on April 18, 2023. SO ORDERED.

Dated: March 23, 2023

Re: Williams, Jr. v. The City of New York, 22-CV-10537 (JHR) (SDA)

Your Honor:

I am Assistant Corporation Counsel in the Office of Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, representing defendants Mayor Eric Adams and the City of New York in the above-captioned case. I write today on behalf the City to request a sixty-day extension to fulfill this office's obligations as set forth in the Court's January 26, 2023 *Valentin* Order from March 27, 2023 to May 26, 2023. (ECF No. 12). This is the first such request made seeking this relief, and, due to plaintiff's incarcerated status, defendants were unable to ascertain his position on this proposed enlargement.

A brief procedural review of this case highlights why this extension request satisfies the "good cause" standard as contemplated by Fed. R. Civ. P. 6(b)(1)(A). Plaintiff's original complaint, filed on December 7, 2022, seeks redress under 42 U.S.C. § 1983 for allegedly unlawful conditions of confinement during his pretrial detention at Riker's Island. (ECF No. 1). Plaintiff has since filed two amended versions of his complaint—the first on January 18, 2023 and the second on February 9, 2023. (ECF Nos. 8, 18). In the interlude between these two amendments, the Court issued an order on January 26, 2023 directing this office to identify certain DOC staff involved in an August 31, 2022 incident with plaintiff no later than March 27, 2023. (ECF No. 12 at 3-4). The order also directed plaintiff to file a second amended complaint with the identified officers' names after he had received this information—a mandate which, whether due to

plaintiff's misunderstanding or otherwise, plaintiff did not follow, as he filed a second amended complaint before obtaining these identifications. (ECF No. 18).

Adding to the somewhat unusual procedural posture briefly discussed above is plaintiff's failure to sign both his second amended complaint, now the operative pleading, and his first amended complaint, the subject of the Court's Valentin order. Defendants raised this issue with the court in a recently filed letter, as well as to plaintiff directly. The City seeks this sixty-day enlargement, therefore, to both adequately investigate the August 31, 2022 incident and to allow time for plaintiff to remedy the defect in his filing.

In short, the efforts to comply with the Court's January 26, 2023 order are ongoing, albeit slightly delayed. Accordingly, the undersigned asks for this additional sixty-day enlargement to fulfill its obligation under the Court's January 26, 2023 Valentin order from March 27, 2023 to May 26, 2023, an enlargement which will allow the City to meaningfully respond with information sufficiently established to satisfy Fed. R. Civ. P. 11(b)'s due diligence requirements.

Thank you for your consideration herein.

Respectfully Submitted,



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cc: **VIA POSTAL MAIL**
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